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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **ANDREW J. TOTI**
Application Serial No.: **10/693,263**
Filing Date: **10/23/2003**
For: **CONTROL ROD MECHANISM AND SYSTEM**

Attorney Docket: **50534.3**
Examiner:
Hansen, Colby M.
Art Unit: **3682**

REPLY TO 04/07/2006 NOTICE

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is xx being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office at (571) 273-8300, on August 8, 2006.

Philip A. Dalton 8/8/06
Philip A. Dalton (person signing Certificate)

Sir:

This is in response to the **NOTICE REQUIRING EXCESS CLAIMS FEES**, PTOL-319, dated 04/07/2006 (hereafter "NOTICE"), which indicated a fee of "\$200.00 is due for claims."

Please charge any fee properly required by the NOTICE for excess claim(s) to the undersigned's deposit account, 04-0039 (ref 505343). A copy of this fee authorization is enclosed..

The NOTICE is believed directed to the AMENDMENT mailed 02/21/2006 (hereafter "AMENDMENT"), which added 1 dependent claim, dependent claim 6, increasing the total number of claims from 5 to 6. That AMENDMENT did not add an independent claim.

It is believed the requirement in the NOTICE of a fee of \$200.00 for excess claims is based on the erroneous conclusion that the AMENDMENT added an independent claim. Reconsideration of and withdrawal of the requirement of the \$200.00 fee for excess claims are requested.

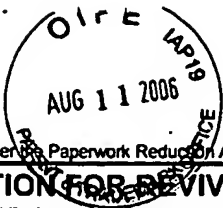
08/25/2007 CKHLOK 00000003 040039 10693263
01 FC:1254 1590.00 DA

Respectfully submitted,
LAW OFFICE OF PHILIP A. DALTON

Date: 08 August 2006

By Philip A. Dalton 8/8/06
Philip A. Dalton, Attorney for Applicant, Reg. #26859
08/13/2006 12011121 040039 10693263
01 FC:1201 200.00 DA

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
50534.3

First named inventor: ANDREW J. TOTI

Application No.: 10/693,263

Art Unit: 3682

Filed: 10/23/2003

Examiner: HANSEN, COLBY M.

Title: CONTROL ROD MECHANISM AND SYSTEM

Adjustment date: 01/25/2007 CKHLOK
09/28/2006 YPOLITE1 00000007 040039 10693263
1500.00 CRAttention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1500.00 (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in
the form of REPLY TO 04/07/2006 NOTICE (identify type of reply):

- ☐
- has been filed previously on _____
-
- ☒
- is enclosed herewith.

08/14/2006 YPOLITE1 00000007 040039 10693263

B. The issue fee and publication fee (if applicable) of \$ 01 FC:1453 1500.00 DA

- ☐
- has been paid previously on _____
-
- ☐
- is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to
complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any
comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer,
U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED
FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.